

FILED

7-29-2008

JUL 29 2008 Y



Gerald T. McFaul
County Sheriff

M.H.G.

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

CIVIL BRANCH
Marlon Wintucky
Chief Deputy

RECEIVED JUL 21

08cv4016

AFFIDAVIT OF SERVICE

CASE NUMBER 08 ms 1217

DOCKET NUMBER 08-0451

Federal Court No. 08 CV-4016

ON THIS 17 DAY OF July 20 08

I SERVED THE WITHIN NAMED:

National City Corp.

BY LEAVING, HANDING PERSONALLY, LEAVING AT CENTRAL POLICE STATION FOR HIM
HER, THEM, AT THEIR USUAL PLACE OF BUSINESS, RESIDENCE, A TRUE CERTIFIED COPY
THEREOF WITH ALL THE ENDORSEMENTS THEREON.

NOT FOUND IN MY COUNTY L Business P/O Chuck Buetner

DEPUTY

RICHARD CABOT

STATE OF OHIO
CUYAHOGA COUNTY
SHERIFF FEES:

SERVICE AND RETURN

6.00

POSTAGE

COPY

MILEAGE

10.50

TOTAL

16.50

SWORN TO AND SUBSCRIBED BEFORE ME THIS 18TH DAY OF July 2008

NOTARY PUBLIC

JAMES G. BITTERMAN
Notary Public, State of Ohio, Cuy. Cty.
My commission expires Nov. 15, 2010

2120 - Served 2220 - Not Served 2620 - Sec. of State
 2121 - Alias Served 2221 - Alias Not Served 2621 - Alias Sec. of State

Summons (This form replaces CCN 0646, CCN 0646, CCN 0651, CCN 0648, and CCN 0649-2 thru 6)

(3/07/08) CCM N649

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 FIFTH MUNICIPAL DISTRICT

STEVE MILLER, BILL WESLEY, JANE KRANZ, KATHI
 YARBOROUGH, SANTIAGO RESTREPO, JAMES SALVATORI,
 SCOTT LYNCH, MAUREEN SCHECHTMAN, KEVIN WILLIAMS,
 TERRY WARD, LIDIA BRAVO, LIKIYA KRASILNIKOVA, TOM
 MARTELO, CARLOS RESTREPO, LOUISE SKINIOTES,
 ALEXANDER SKINIOTES, BRIAN PATTERSON and CLIFF
 ASBURY,
 Plaintiffs,

vs.

NATIONAL CITY CORPORATION, NATIONAL CITY BANK
 d/b/a NATIONAL CITY MORTGAGE and NATIONAL
 CITY MORTGAGE COMPANY,
 Defendants.

Case No. 08M5 1217

Amount Claimed: \$ not exceeding \$50,000

Appearance Filing/Return Date: 8/12/08

Status Date: SEP 22 2008

Trial Date: _____

Time: 9:30am

Room: 205

PLEASE SERVE:

National City Corporation
 4100 WEST 150TH ST
 CLEVELAND, OH 44135

SUMMONS

To each Defendant:

YOU ARE SUMMONED and required:

1. To file your written appearance by yourself or your attorney and pay the required fee in:

- ☐ District 1: Richard J. Daley Center; 50 West Washington, Room 602; Chicago, IL 60602
☐ District 2: 5600 Old Orchard Rd., Rm 136; Skokie, IL 60077 ☒ District 5: 10220 S. 76th Ave., Rm 121; Bridgeview, IL 60455
☐ District 4: 1500 Maybrook Dr., Rm 236; Maywood, IL 60153

on August 12, 2008, between the hours of 8:30 a.m. and 2:30 p.m.;

☐ District 3: 2121 Euclid, Rm 121; Rolling Meadows, IL 60008 ☐ District 6: 16501 S. Kedzie Pkwy., Rm 119; Markham, IL 60428
 on _____, before 9:00 a.m.

2. File your answer to the complaint before 9:00 a.m. as required by the applicable subsections of Paragraph 3 or 4 in the NOTICE TO THE DEFENDANT on the reverse side.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service, and not less than 3 days before the day for appearance. If service cannot be made, this summons shall be returned so endorsed.

This summons may not be served later than 3 days before the day for appearance.

THERE WILL BE A FEE TO FILE YOUR APPEARANCE. SEE FEES ON THE REVERSE SIDE OF THIS FORM.

Atty. No.: 38920

Name: Bruggeman, Hurst & Associates, P.C.

Atty. for: Plaintiffs

Address: 20012 Wolf Road, Suite 200

City/State/Zip: Mokena, Illinois 60448

Telephone: (708) 478-6900

WITNESS, _____

DOROTHY BROWN JUL 08 2008

DOROTHY BROWN, Circuit Court Clerk

Date of Service: _____

(To be inserted by officer on copy left with Defendant or other person)

SEE REVERSE SIDE

** Service by Facsimile Transmission will be accepted at: _____

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

ORIGINAL COURT FILE

(3/07/08) CCM N649

APPEARANCE FEES INCLUDE A COUNTY LAW LIBRARY FEE OF \$13.00, THE COURT AUTOMATION FEE OF \$15.00, A DOCUMENT STORAGE FEE OF \$15.00, THE COURT SERVICES FEE OF \$25.00, AND THE MANDATORY ARBITRATION FEE OF \$10.00 WHERE APPLICABLE.

JURY FEES ARE AS FOLLOWS:

APPEARANCE FEES (BASED ON AMOUNT OF CLAIM)
(ALL CASES; NO DISPUTE RESOLUTION CHARGED)
FORCIBLE DETAINER (POSSESSION ONLY) \$158.00
\$1500.00 OR LESS \$158.00
\$1500.00 TO \$15,000.00 \$168.00
MORE THAN \$15,000.00 \$188.00

CLAIMS FOR DAMAGES NOT IN EXCESS OF \$10,000.00
*SIX-PERSON \$12.50
*TWELVE-PERSON JURY \$25.00 or
\$12.50 if another party paid for a jury of six

CLAIMS FOR DAMAGES NOT IN EXCESS OF \$15,000.00
*SIX-PERSON \$115.00
*TWELVE-PERSON JURY \$230.00 or
\$115.00 if another party paid for a jury of six

CLAIMS FOR DAMAGES IN EXCESS OF \$15,000.00
*TWELVE-PERSON JURY \$230.00

*THESE FEES MAY BE WAIVED BY APPROPRIATE COURT ORDER. YOU HAVE THE RIGHT TO FILE A PETITION SEEKING SUCH AN ORDER.

NOTICE TO PLAINTIFF

You **MUST** select a return day of:
not less than 14 or more than 40 days after issuance of summons if amount claimed is \$5000 or less;
not less than 21 or more than 40 days after issuance of summons if amount claimed is in excess of \$5000.

NOTICE TO DEFENDANT

1. If the complaint is notarized, your answer must be notarized.

For District 1 Cases Only:

2. On the specified Return Day, one of the following may occur:

- a. If you are sued for \$5000.00 or less, you need not file an answer unless ordered to do so by the Court.
 - (i) If Plaintiff is not present, the case may be dismissed for want of prosecution.
 - (ii) If you have not filed an appearance, or you have filed an appearance and are not present, the Plaintiff may obtain an ex parte default judgment against you for the amount claimed.
 - (iii) If you have filed an appearance and are present on Return Day, trial may be held that day, or may be set for another day certain.
- b. If you are sued for more than \$10,000.00, and if you have filed your appearance on time, you must file your answer no later than 10 days after the appearance date (return date) specified on the front of this form. If you have not filed your appearance or answer on time, the Plaintiff may obtain an ex parte default judgment against you for the amount claimed. If Plaintiff is not present for the Default call, the case may be dismissed for want of prosecution. If you filed your appearance and have not filed your answer on time the Plaintiff may motion the court to enter a judgment.

3. Late filing of an appearance or answer will not relieve you from a judgment or default order except by court order.

For District 2, 3, 4, 5 and 6 Cases:

4. If you are sued for more than \$5000.00, you have 10 days from the Return Day to answer or otherwise plea.
5. On the specified Return Day, if you are sued for \$5000.00 or less, you need not file an answer unless ordered to do so by the Court.
6. On the specified Status/Trial Day, one of the following may occur:
 - a. If Plaintiff is not present, the case may be dismissed for want of prosecution.
 - b. If you have not filed an appearance, or you have filed an appearance and are not present, the Plaintiff may obtain an ex parte default judgment against you for the amount claimed.
 - c. If you have filed an appearance and are present on Status/Trial Day, trial may be held that day, or may be set for another day certain.

The following is applicable to District 3 cases only:

7. This case may/may not be heard on the day for appearance specified in summons.
8. If the claim is for personal injury, or is a civil case in which Plaintiff has filed a jury demand, you will be required to file your appearance in person or by attorney Return Day, and your answer as required by Par. 2(b) above. These cases will be assigned and heard in the Civil Jury Room _____ unless otherwise ordered by the Presiding Judge. Neither Plaintiff nor Plaintiff's attorney will be required to be present on Return Day. The case will be set for Status at 9:00 a.m., approximately 60 days from the date of filing. Plaintiff and Defendant will be required to appear in court on that status day.
9. Trial Rights of Property, Detainers, and Revivals of Judgment, Pro Se, and Forcible Detainer suits are returnable in Room _____ and are disposed of on a Return Day unless otherwise ordered by the Court.

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS